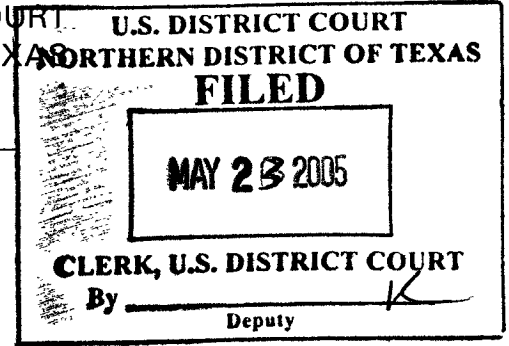


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



JAMES KUBOTA

Plaintiff

v.

JUDGE JAY PATTERSON, et al.

Defendants

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CA-3:05-CV-0908-H

ORDER

Before the Court are the Findings, Conclusions and Recommendation of the United States Magistrate Judge, filed May 16, 2005, and Plaintiff's Notice, filed May 20, 2005, which the Court treats as Objections.

The Court has made the required independent review of the pleadings, files, and records in this case; the Findings and Conclusions of the Magistrate Judge and Plaintiff's Objections. Having done so, the Court is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are **ADOPTED** as the Findings and Conclusions of the Court, and Plaintiff's Objections are **OVERRULED**.

It is further ORDERED that Plaintiff's Motion to Proceed in forma pauperis is **DENIED** and the complaint will be dismissed without notice, unless within ten (10) days of the date of this Order Plaintiff tenders the \$250.00 filing fee made payable to the United States District Clerk.

It is further ORDERED that Plaintiff's Motion for Appointment of Counsel is **DENIED**.

SO ORDERED.

DATED: May 20th, 2005

A handwritten signature in black ink, appearing to read "Barefoot Sanders", with a long horizontal flourish extending to the right.

BAREFOOT SANDERS, SENIOR JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS